



LAW OFFICES OF YOUNG, MINNEY & CORR, LLP
THE CHARTER LAW FIRM

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OF COUNSEL

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January 10, 2020

VIA EMAIL:

Los Angeles, CA 900

Re: Your Cease and Desist Letter to The Accelerated Schools Board

Dear

Our office serves as general counsel for The Accelerated Schools Board. On December 18, 2019, you delivered a letter via email that demands "The Accelerated Schools cease and desist from violating the Brown Act as described below and to request that, in order to avoid costly and unnecessary litigation," The Accelerated Schools Board respond "with an unconditional commitment to so cease and desist."

Your letter claims The Accelerated Schools Board violated the Brown Act at their October 24, 2019, meeting when you were informed by an employee of school that you were required to sign your name to a sheet in order to be admitted to the part of campus where the meeting was being held.

The Accelerated Schools is a California nonprofit public benefit corporation that operates public charter schools. As required in Education Code Section 47604.1, The Accelerated Schools Board of Directors complies with the Brown Act. Government Code Section 54953.3 states a "member of the public shall not be required, as a condition to attendance at a meeting of a legislative body of a local agency, to register his or her name, to provide other information, to complete a questionnaire, or otherwise to fulfill any condition precedent to his or her attendance."

The Accelerated Schools, like a large majority of public schools throughout California and the nation, are taking campus security very seriously. We are sure you are aware of the tragic events at schools across the country over the past seven years. Because the October 24, 2019, Board meeting was held on ACES Elementary School grounds during classroom hours, The Accelerated Schools Board of Directors believed it was in the best interest of student safety to require all visitors to follow visitor policy. This included signing in at the front office.

With that said, The Accelerated Schools Board does not wish to enter into litigation with you over this issue at this time. Therefore, the Board of Directors acknowledges it has received your cease and desist letter dated December 18, 2019 alleging that the following described past action of the legislative body violates the Ralph M. Brown Act:

SACRAMENTO ■ LOS ANGELES ■ SAN DIEGO ■ WALNUT CREEK

MAIN OFFICE: 655 UNIVERSITY AVENUE, SUITE 150, SACRAMENTO, CA 95825 ■ WWW.MYCHARTERLAW.COM

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At the October 24, 2019, The Accelerated Schools Board meeting, you were informed by an employee of The Accelerated Schools that you were required to sign your name to a sheet in order to be admitted to the part of campus where the meeting was being held.

In order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, the The Accelerated Schools Board hereby unconditionally commits that it will cease, desist from, and not repeat the challenged past action as described above. Going forward, The Accelerated Schools will hold their Board meetings in an area that can be confined without providing access to our school campuses so that signing in for security purposes will not be necessary or required, but only voluntary.

The Accelerated Schools Board may rescind this commitment only by a majority vote of its membership taken in open session at a regular meeting and noticed on its posted agenda as "Rescission of Brown Act Commitment." You will be provided with written notice, sent by any means or media you provide in response to this message, to whatever address or addresses you specify, of any intention to consider rescinding this commitment at least 30 days before any such regular meeting. In the event that this commitment is rescinded, you will have the right to commence legal action pursuant to subdivision (a) of Section 54960 of the Government Code. That notice will be delivered to you by the same means as this commitment or may be mailed to an address that you have designated in writing.

This unconditional commitment shall be approved by The Accelerated Schools Board in open session at the next regular meeting as a separate item of business, and not on the consent calendar. Nothing in this letter shall be construed or admissible as evidence of a violation of the Brown Act pursuant to Government Code Section 54960.2(c)(4).

Please contact me if you have any questions.

Very Truly Yours,
LAW OFFICES OF YOUNG,
MINNEY & CORR, LLP



Wayne K. Strumpfer
ATTORNEY AT LAW

